THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.No. 19119 of 2007

Dated: 06.10.2007

Between:

Thota Saraswathi.

..Petitioner.

and

The Revenue Divisional Officer, Kadapa, Kadapa District and another.

..Respondents.

THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.No.19119 of 2007

ORDER:

The matter is coming up for admission.

2. This writ petition is filed for a writ of mandamus declaring the proceedings of the first respondent bearing Ref. C/1293/2007, dated 23.08.2007 as illegal, arbitrary and without jurisdiction and consequently direct the respondents to drop all further proceedings against the petitioner in this regard and to continue him as Fair Price Shop Dealer of Shop No.74 of Devuni Kadapa village, Kadapa Mandal and District.

3. Heard the counsel.

4. Certain submissions are made in relation to the authority or power to make the impugned order in the light of the G.O.Ms.No.8, dated 01.02.2006. This Court is not inclined to express any opinion relating to the said aspect. A decision in **CHAIRMAN, A.P. STATE ELECTRICITY BOARD v. M. KURMI NAIDU**[1] is also relied upon.

5. In view of the facts and circumstances, let the first respondent-Revenue Divisional Officer, Kadapa, Kadapa District, complete the enquiry within a period of three weeks from the date

of receipt of a copy of this order. Till then, the impugned order is hereby suspended.

Accordingly, the Writ Petition is disposed of. No order as to costs.

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P.S.NARAYANA, J

Dated: 06.10.2007

Note:
Issue CC by wire
at party's costs.
(Bo)
sj

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[1] (2006) 8 Supreme Court Cases 62